

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITIES, *et al.*

Plaintiffs,

v.

NATIONAL SCIENCE FOUNDATION, *et al.*,

Defendants.

No. 1:25-cv-11231-IT

DECLARATION OF JASON BOSSIE

Pursuant to 28 U.S.C. § 1746, I, Jason Bossie, declare as follows:

1. I am employed as Deputy Office Head in the Office of Budget, Finance, and Award Management, National Science Foundation (NSF).
2. I have held this position since November 2022.
3. In my current position, I am responsible for leadership and oversight of NSF's operations in financial management, budget, and grants management.
4. On May 2, 2025, NSF issued NSF Policy Notice 25-034, *Implementation of Standard 15% Indirect Cost Rate*, with a May 5, 2025, effective date (the "Policy").
5. On June 20, 2025, the Court granted Plaintiffs' request for summary judgment and vacated the Policy. *See* Doc. No. 77 (the "Order"). The Court further ordered "that within 72 hours of entry of this Order, Defendants provide written notice of the Order to all funding recipients affected by the 15% Indirect Cost Rate and that, further, Defendants notify the court

that they have done so promptly thereafter.” *Id.*

6. Research.gov, NSF’s proposal preparation and submission portal used by all organizations for submitting proposals, management of post-award activities, and agency communications, includes a red banner at the top of the page with a red exclamation point, stating: “**NEW UPDATE: IMPLEMENTATION PAUSED** . . .”. A “See New Details” link in that banner takes the user to <https://www.nsf.gov/policies/document/indirect-cost-rate>, the page containing Policy Notice NSF 25-034. On June 23, 2025, NSF put a yellow banner at the top of the notice with a black exclamation point that states: “On June 20, 2025, the U.S. District Court for the District of Massachusetts, in No. 1:25-cv-11231-IT, vacated NSF’s 15% Indirect Cost Rate policy (NSF 25-034). In compliance with the court’s decision, NSF will not implement the policy at this time. New NSF awards issued will not implement NSF 25-034, but will include a term applying NSF 25-034 for the entirety of the award if a subsequent court decision permits application of the policy.”

7. On June 23, 2025, NSF initiated email communications to the NSF external community to provide individualized written notice of the Order. Given the significant amount of time required to operationalize mass email communications of this nature, NSF prioritized individualized email notification to: all organizations with pending proposals received to date; and the official email addresses of all organizations with an active award. Thereafter, NSF will further notify: all organizations that submitted a proposal to the NSF within the past seven (7) years; all Principal Investigators and co-Principal Investigators on active awards; and all users with financial certifier permissions activated. The email notification announces that “On June 20, 2025, the U.S. District Court for the District of Massachusetts, in No. 1:25-cv-11231-IT, vacated NSF’s 15% Indirect Cost Rate policy (NSF 25-034). In compliance with the court’s

decision, NSF will not implement the policy at this time.” The email notification also includes a link to the Court’s order.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 23rd day of June, 2025.

JASON R
BOSSIE

Digitally signed by
JASON R BOSSIE
Date: 2025.06.23
16:04:49 -04'00'

JASON BOSSIE

Deputy Office Head in the Office of Budget,
Finance, and Award Management
National Science Foundation